

## **IN THE CLAIMS**

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Original) A method for initial downlink transmit power adjustment for non-real time services in a wireless communications network, comprising the steps of:

estimating an initial downlink transmit power level for non-real-time services;

comparing the estimated power level with a threshold;

determining whether an increase in the estimated power level would degrade services in neighboring cells; and

based on the determining step, adjusting the initial downlink transmit power level by a predetermined amount.

2. (Currently amended) A method for initial downlink transmit power adjustment for non-real time services in a wireless communications network, comprising the steps of:

estimating an initial downlink transmit power level for non-real-time services;

calculating an estimated slot carrier power;

comparing the estimated slot carrier power with ~~a threshold~~ at least two thresholds; and

adjusting the initial downlink transmit power based ~~upon the comparison result~~ on how the estimated slot carrier power compares to the at least two thresholds.

3. (Original) The method according to claim 2, wherein said calculating step includes adding the estimated initial downlink transmit power to a current slot carrier power.

4. (Original) The method according to claim 2, wherein said comparing step includes comparing the estimated slot carrier power with a minimum carrier power level of a Node B.

5. (Original) The method according to claim 4, wherein said adjusting step includes increasing the initial downlink transmit power, whereby the total carrier power equals the minimum carrier power plus a margin value.

6. (Original) The method according to claim 2, wherein said comparing step includes determining if the estimated slot carrier power is greater than a minimum carrier power level of a Node B and less than a carrier power threshold.

7. (Original) The method according to claim 6, wherein said adjusting step includes

determining whether an average slot carrier power of neighboring cells is less than a threshold; and

if the average slot carrier power is below the threshold, then increasing the initial downlink transmit power, whereby the total carrier power equals the greater of the minimum carrier power plus a first margin value and the estimated slot carrier power plus a second margin value.

8. (Original) The method according to claim 2, wherein said comparing step includes comparing the estimated slot carrier power with a carrier power threshold.

9. (New) The method according to claim 1, wherein the comparing step includes comparing the estimated power level with at least two thresholds; and

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the predetermined amount is based on how the estimated power level compares to the at least two thresholds.